



#3

Attorney's Docket No. 52003204

## DECLARATION AND POWER OF ATTORNEY

We, William Lawrance, Howard Hagan and David S. Edwards hereby declare that:

Our residences, post office address and citizenships are as stated below next to our respective names;

INVENTOR: William Lawrance  
Address: 802 E. Port au Prince  
Residence: Phoenix, AZ 85022  
Citizenship: United States of America

INVENTOR: Howard Hagan  
Address: 6366 West Hill Lane  
Residence: Glendale, AZ 85310  
Citizenship: United States of America

INVENTOR: David S. Edwards  
Address: 3317 W. Paradise Lane  
Residence: Phoenix, AZ 85053  
Citizenship: United States of America

We believe we are the original and first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **"Method and Data Processing System Providing Checkpoint/Restart Across Multiple Heterogeneous Computer Systems"** described and claimed in the attached specification;

We have reviewed and understand the contents of the above-identified specification, including the claims; and

We acknowledge the duty to disclose information which is material to the examination of this application as defined in 37 C.F.R. 1.56.

We hereby declare that all statements made hereby of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint John S. Solakian (Reg. No. 25,087) and Bruce E. Hayden (Reg. No. 35,539) our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

We request that all correspondence be directed to:

Bruce E. Hayden, Esq. - B55  
Bull HN Information Systems Inc.  
13430 N. Black Canyon Highway  
Phoenix AZ 85029  
Telephone: (602) 862-6542

William Lawrance  
William Lawrance  
Date of Execution: June 28, 2001

INVENTOR: William Lawrance  
Address: 802 E. Port au Prince  
Residence: Phoenix, AZ 85022  
Citizenship: United States of America

Howard Hagan

Howard Hagan

Date of Execution: June 16, 2001  
*Aug.*

INVENTOR: Howard Hagan

Address: 6366 West Hill Lane

Residence: Glendale, AZ 85310

Citizenship: United States of America

David S. Edwards

David S. Edwards

Date of Execution: June 28, 2001

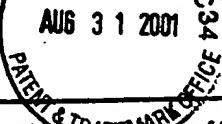
INVENTOR: David S. Edwards

Address: 3317 W. Paradise Lane

Residence: Phoenix, AZ 85053

Citizenship: United States of America

AUG 31 2001



## RECORDATION FORMS COVER SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

## PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name(s) of conveying party(ies):

William Lawrence  
Howard Hagan  
David S. Edwards

## Additional name(s) of conveying party(ies) attached?

Yes  No 

## 3. Nature of conveyance:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger         |
| <input type="checkbox"/> Security Agreement    | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other _____           |   |

Execution Date: 6-28-01

## 2. Name and address of receiving party(ies):

BULL HN INFORMATION SYSTEMS INC.

300 CONCORD ROAD

BILLERICA, MA 01821-4186

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 6-29-01

## A. Patent Application No.(s):

## B. Patent No.(s):

Additional numbers attached? Yes  No 

## 6. Name and address of party to whom correspondence concerning document should be mailed:

BRUCE E. HAYDEN, ESQ., MS B55  
BULL HN INFORMATION SYSTEMS INC.  
13430 N. BLACK CANYON HIGHWAY  
PHOENIX, AZ 85029

6. Total number of applications and patents involved: 1

## 7. Total fee (37 CFR 3.41): \$40

 Enclosed Authorized to be charged to deposit account

## 8. Deposit account number:

02-4616

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original.

BRUCE E. HAYDEN  
Name of Person Signing

6-29-01

Date

Total number of pages including cover sheet, attachments and document: 3

EXPRESS MAIL NO. EJ207532579US  
Attorney's Docket No. 52003204

## ASSIGNMENT

WHEREAS, we, William Lawrance, residing at 802 E. Port au Prince, Phoenix, Arizona 85022, Howard Hagan, residing at 6366 West Hill Lane, Glendale, Arizona 85310 and David S. Edwards, residing at 3317 W. Paradise Lane, Phoenix, Arizona 85053, are the inventors of an invention or improvement in:

### **METHOD AND DATA PRPOCESSING SYSTEM PROVIDING CHECKPOINT/RESTART ACROSS MULTIPLE HETEROGENEOUS COMPUTER SYSTEMS**

for which we have executed an application for Letters Patent of the United States of America, of even date herewith as to our respective signatures; and

WHEREAS, Bull HN Information Systems Inc., a corporation organized and existing under the laws of the State of Delaware and having its principal offices at 300 Concord Road, Billerica, Massachusetts 01821-4186, is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application in the United States of America and in any and all countries foreign thereto;

NOW, THEREFORE, for good and valuable considerations, the receipt of which is hereby acknowledged we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto said Bull HN Information Systems Inc., its successors, legal representatives, and assigns, the entire right, title and interest in, to and under the said invention, and the said application, and all divisional, renewal, substitutional, and continuing applications thereof, and all Letters Patent of the United States of America which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may be filed for said invention in any country or countries foreign to the United States of America, and all Letters Patent which may be granted for said invention in any country or countries foreign to the United States of America, and all extensions, renewals, and reissues thercof; and we hereby authorize and request the Commissioner of Patents and Trademarks of the

United States of America, and any official of any country or countries foreign to the United States of America, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said invention to said Bull HN Information Systems Inc., its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to said Bull HN Information Systems Inc., its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, renewal, substitutional, continuing, and reissue applications, make all rightful declarations and/or oaths and generally do everything possible to aid said Bull HN Information Systems Inc., its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention in all countries.

IN TESTIMONY WHEREOF, we hereunto set our hands on the dates set below our respective signatures.

ASSIGNOR: William Lawrence  
William Lawrence  
Date of Execution: June 28, 2001

ASSIGNOR: Howard Hagan  
Howard Hagan  
Date of Execution: August 16, 2001

ASSIGNOR: David S. Edwards  
David S. Edwards  
Date of Execution: June 28, 2001